

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

16/Response  
Chrysina  
8/13/02

Applicant:	David H. Sitrick	)	<u>Certificate of Transmission under</u>
		)	<u>37 CFR 1.8</u>
For:	SYSTEM AND METHODOLOGY	)	
	FOR MUSICAL	)	I hereby certify that this
	COMMUNICATION AND	)	correspondence is being facsimile
	DISPLAY	)	transmitted to the United States
Serial Number:	09/492,218	)	Patent and Trademark Office
		)	(703.308.7722) on <u>August 9,</u>
Filed:	January 27, 2000	)	<u>2002.</u>
		)	
Examiner:	M. Fletcher	)	<u>Elise L. Corrado</u>
		)	Elise L. Corrado
Art Unit:	2837	)	
		)	(Two [2] pages transmitted)
Attorney Docket:	STD 1757	)	

RESPONSE

Commissioner of Patents and Trademarks  
Washington D.C. 20231

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AUG 9 2002  
TECHNOLOGY CENTER 2800

Dear Sir:

This communication is filed responsive to an Office Action mailed May 9, 2002 with a shortened three-month response period. By this Amendment, claims 1-113 are pending. No new matter has been added.

Claims 1-40, 53-76, 79-96 and 99-113 are rejected under 35 U.S.C. 103(a) based upon Friedman et al. (W0 98/50900) in view of Taki et al. (US 5,665,927) and Ishii (5,400,687). Claims 41-51 are allowed. Claims 52, 77, 78, 97 and 98 are objected to as being derived from a rejected claim. It is respectfully submitted that for the reasons as set forth below, Friedman et al. (W0 98/50900) is not prior art to the present application, and that Taki et al. (US 5,665,927) and Ishii (5,400,687) alone or in combination do not teach, suggest or discuss the claimed invention. It is thus submitted that Examiner's rejection is traversed and overcome, and that Claims 1-113 are allowable over all cited art, and that the application is in proper condition for allowance.

PATENT APPLICATION

Serial Number: 09/492,218

Attorney Docket Number: STD 1757

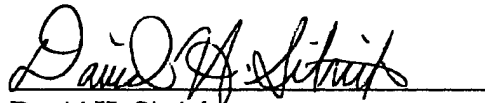
Undersigned Applicant's paralegal, Elise Corrado, spoke with Examiner Fletcher on August 1, 2002 regarding the invalidity of the rejections and of the use of references cited by the Examiner in the above-referenced Office Action. During that conversation, Examiner Fletcher stated that (1) Friedman et al. (WO 98/50900) was improperly cited, alone and in combination, as prior art against Applicant's above-referenced application since Friedman et al. (WO 98/50900) was published on November 12, 1998; whereas, Applicant's priority date derives from a parent application—now issued as U.S. Patent No. 5,728,960—filed on July 10, 1996; and (2) Friedman et al. (WO 98/50900) was the primary art relied upon and that "Taki (US 5,665,927) cannot stand on its own."

Reconsideration is respectfully requested, taking the form of a Notice of Allowance.

Applicant also concurrently herewith submits a Supplemental Information Disclosure Statement of references recently learned of.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the application.

Respectfully submitted,



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August 9, 2002

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